

THE HONORABLE LAUREN KING

UNITED STATES OF DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

LEO'S WELDING and FABRICATION, LLC, a  
Washington limited liability company

Plaintiffs,

v.

HANNAH, Official Number 1067457, her  
machinery, engines, equipment, cargo  
appurtenances, *in rem* and SAYAK  
LOGISTICS, LLC, an Alaska limited liability  
company dba NORTHLINE SEAFOODS *in*  
*personam*

Defendants.

Case No. 2:25-cv-00625-LK

DECLARATION OF SVETLANA  
SPIVAK IN SUPPORT OF  
MOTION PER FED.R.CIV.P. 56(d)

I, Svetlana Spivak, declare as follows:

1. I am one of the attorneys representing Sayak Logistics, LLC in this matter.

I am over the age of 18 and otherwise competent to testify to the matters stated in this  
declaration. I make this declaration based on my personal knowledge and my review of  
my firm's files. This declaration is submitted in support of Defendant Sayak Logistics,  
LLC's Motion for Additional Time to Respond to Plaintiff's Motion for Summary  
Judgment.

2. The Complaint in this matter was filed April 11, 2025 (Docket 5) and the Amended Complaint was filed April 29, 2025 (Docket 14). Sayak Answered the Amended Complaint on May 13, 2025 (Docket 29), denying some assertions, including that there were no problems with plaintiff Leo's Welding and Fabrication, LLC's performance under the contract and that no notice of such problems was given.

3. Between the time that the Complaint was filed and May 16, 2025, the parties were involved in resolving issues of the HANNAH's arrest and posting the bond. Docket 1-34.

4. I reviewed the docket, and do not believe that a trial date has been set in this matter, or a scheduling order has been entered. That is, there is no deadline for completing discovery at this time.

5. On June 10, 2025, Leo's Welding served Requests for Admission, Interrogatories and Requests for Production. Because the Barge and all the personnel with knowledge were already in Alaska and busy with a short salmon season, I requested additional time for answering discovery and advised opposing counsel of the reasons for needing the extension. Of course, Sayak and myself did not sit and wait for the agreement, and began answering what we could. To that end, Requests for Admission were answered, again denying that there were no problems with Leo's Welding's performance under the contract or that no notice of such problems was provided. Attached as Exhibit 1 is a true and correct copy of the Responses to Requests for Admission. Plaintiff's counsel eventually agreed to provide additional time, but such continuance was insufficient as the Barge would still be in Alaska.

6. As part of discovery, I requested to communicate with individuals who had knowledge of the issues that Sayak had with Leo's Welding performance during the conversion. I was advised that the person with most of the facts who can point me toward

documents and witnesses was Thomas Singer, a Director of Vessel Operations. However, Mr. Singer has been in Alaska and on the Barge since May, 2025 and has been unavailable due to his schedule while the Barge operates in Alaska. To prepare for proper and efficient discovery, I need to speak to Mr. Singer and other individuals with knowledge, who are currently on the Barge.

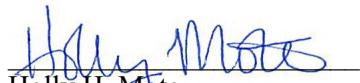
I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

/s/ Svetlana P. Spivak  
Svetlana Spivak (WSBA 30478)

CERTIFICATE OF SERVICE

The undersigned certifies under penalty of perjury of the laws of the State of Washington that, on the 1st day of August 2025, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

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